

REMARKS

Claims 1 and 3-13 are pending in the above application. By the above amendment, claim 2 has been cancelled without prejudice.

The Office Action dated March 21, 2007, has been received and carefully reviewed. In that Office Action, it was indicated that claims 8-11 were allowed and that claims 3 and 4 would be allowable if rewritten in independent form. Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by Manning, and claims 5-7, 12 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Manning in view of Strickland. By the above amendment, claims 3 and 4 have been rewritten in independent form and are believed to be in condition for allowance. Independent claims 1 and 5 have been revised to further distinguish over the art of record, and reconsideration of claims 1 and 5 and the claims depending therefrom is respectfully requested in view of the above amendments and the following remarks.

STATEMENT OF SUBSTANCE OF INTERVIEW

A telephone interview was conducted on June 12, 2007, between Examiner Kara Geisel and Applicant's representative, Scott Wakeman to discuss the claim amendments presented above. It was agreed that the amended claims appear to distinguish over Manning and Strickland. The examiner, however, indicated that these amendments raise new issues that will require further consideration and search and that the amendments will not be entered without the filing of an RCE.

CLAIM REJECTIONS

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Manning. As amended, claim 1 recites illuminating a first measurement point on a first side of the lens with light at first, second and third angles of incidence and illuminating a second measurement point on a second side of the lens with light at fourth, fifth and sixth angles of incidence. Manning does not show or suggest illuminating a given measurement point with light at different angles of incidence. Instead, Manning appears to suggest taking single measurements at one or more

different points on a given side of a lens. Because Manning does not show at least this aspect of the invention recited in claim 1, claim 1 as amended is submitted to be allowable over Manning.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Manning in view of Strickland. By the above amendment, claim 5 has been revised to recite means for illuminating a measurement point with light at a plurality of different angles of incidence. As discussed above in connection with claim 1, Manning does not show or suggest illuminating a given point on one side of a lens with light at a different angles of incidence. Strickland does not address this shortcoming of Manning. Claim 5 is therefore submitted to be allowable over the art of record.

Claims 6, 7, 12 and 13 depend from claim 5 and are submitted to be allowable for at least the same reasons as claim 5.

CONCLUSION

Each issue raised in the Office Action dated March 21, 2007, has been addressed, and it is believed that claims 1 and 3-13 are now in condition for allowance. Wherefore, allowance of claims 8-11 and reconsideration and allowance of claims 1, 3-7, 12 and 13 is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

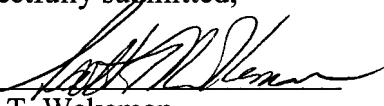
Application No. 10/824,356
Amendment dated June 19, 2007
After Final Office Action of March 21, 2007

Docket No.: 4826-0104PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: June 19, 2007

Respectfully submitted,

By 
Scott T. Wakeman
Registration No.: 37,750
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant